

RECEIVED
CENTRAL FAX CENTER
MAY 12 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. : 10/770,715 Confirmation : 2279
Applicant(s) : James W. DIBBLE et al.
Filed : February 2, 2004
Title : CALCIUM FORTIFICATION OF BREAD DOUGH

Art Unit : 1761
Examiner : Helen F. PRATT

Docket No. : 4517-4003
Customer No. : 27123

VIA FACSIMILE (571) 273-8300

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF FACSIMILE TRANSMISSION

Sir:

I hereby certify that the attached Information Disclosure Statement (4 page(s)), Form PTO-1449 (1 page(s)), copy of one of the references cited therein, entitled: G.S. Ranhotra et al., "Increase in Bone Calcification in Young Rats Fed Breads Highly Fortified with Calcium" (3 page(s)) are being transmitted along with this Certificate of Facsimile Transmission (1 page) on the date shown below to Examiner Pratt, Group Art Unit No. 1761, at the following facsimile number: (571) 273-8300.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: May 12, 2006

By:



Richard C. Komson
Registration No. 27,913

Correspondence Address:

Customer No. 27123
MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101
(212) 415-8700 Telephone
(212) 415-8701 Facsimile

RECEIVED
CENTRAL FAX CENTER

MAY 12 2006

Docket No. 4517-4003

Customer No. 27123

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): James W. DIBBLE et al. Group Art Unit: 1761
Serial No.: 10/770,715 Examiner: Helen F. PRATT
Filed: February 2, 2004 Confirmation No. 2279
For: CALCIUM FORTIFICATION OF BREAD DOUGH
INFORMATION DISCLOSURE STATEMENT

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on Forms PTO-1449, a copy of which is enclosed, are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

1. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449A that is not in the English language, an English language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed:
2. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application.
3. ☐ Any copy of the items listed on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in application Serial No. _____, filed _____.

IDS dated May 12, 2006
Docket No. 4517-4003
Serial No. 10/770,715

4. ☐ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:
- ☐ 37 C.F.R. §1.97(b)(1), within three months of the filing date of a national application other than a CPA; or
 - ☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application; or
 - ☐ 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits; or
 - ☐ 37 C.F.R. §1.97(b)(4) before the mailing date of a first office action after the filing of an RCE under §1.114.
5. ☐ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.
6. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a notice of allowance (where there has been no prior final action):
- ☐ A check in the amount of \$180.00 is enclosed in payment of the fee.
 - ☐ Charge the fee to Deposit Account No. 13-4500, Order No. _____. A
DUPLICATE COPY OF THIS SHEET IS ATTACHED.
7. ☒ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a notice of allowance, whichever comes first, but before payment of the issue fee, and is accompanied by:
- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
 - b. the fee due under 37 C.F.R. §1.17(p) which is paid as set forth in paragraph 11 below.
8. ☐ This Information Disclosure Statement is being filed in compliance with:
- a. ☐ 37 C.F.R. §1.313(b)(3) or §1.313(c)(1), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h);

IDS dated May 12, 2006
Docket No. 4517-4003
Serial No. 10/770,715

- b. ☐ 37 C.F.R. §1.313(c)(2) or §1.313(c)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Request for Continued Examination (RCE) or a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h).
- c. ☐ The fee due under 37 C.F.R. §§1.17(h) is paid as set forth in paragraph 11 below.
9. ☐ I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- ☒ I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
10. ☐ This document is accompanied by ☐ a Search Report ☐ Communication which was cited in a corresponding ☐ PCT or ☐ Foreign counterpart application
11. ☐ A check in the amount of \$ _____ is enclosed in payment of the fees due under 37 C.F.R. §§1.17(h) and 1.17(p).
- ☒ Charge the fees due under 37 C.F.R. §§1.17(h) and 1.17(p) to Deposit Account No. 13-4500, Order No. 4517-4003. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 13-4500, Order No. 4517-4003. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: May 12, 2006

By: _____

Richard C. Komson
Richard C. Komson
Registration No. 27,913

Correspondence Address:
Customer No. 27123
MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101
(212) 415-8700 Telephone
(212) 415-8701 Facsimile

IDS dated May 12, 2006
Docket No. 4517-4003
Serial No. 10/770,715

- b. ☐ 37 C.F.R. §1.313(c)(2) or §1.313(c)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Request for Continued Examination (RCE) or a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h).
- c. ☐ The fee due under 37 C.F.R. §§1.17(h) is paid as set forth in paragraph 11 below.
9. ☐ I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- ☒ I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
10. ☐ This document is accompanied by ☐ a Search Report ☐ Communication which was cited in a corresponding ☐ PCT or ☐ Foreign counterpart application
11. ☐ A check in the amount of \$ _____ is enclosed in payment of the fees due under 37 C.F.R. §§1.17(h) and 1.17(p).
- ☒ Charge the fees due under 37 C.F.R. §§1.17(h) and 1.17(p) to Deposit Account No. 13-4500, Order No. 4517-4003. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 13-4500, Order No. 4517-4003. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: May 12, 2006

By: _____

Richard C. Komson
Richard C. Komson
Registration No. 27,913

Correspondence Address:
Customer No. 27123
MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101
(212) 415-8700 Telephone
(212) 415-8701 Facsimile

FORM PTO-1449 INFORMATION DISCLOSURE CITATION		Attorney Docket: 4517-4003		Serial No.: 10/770,715			
		Applicant: 10/770,715					
		Filing Date: February 2, 2004		Group Art Unit: 1761			
U.S. PATENT DOCUMENTS							
Examiner Initial	Item	Patent or Publication Number	Issue or Publication Date	Name	Class	Sub-Class	Filing Date
	A	2005/0238760 A1	10/27/2005	Ballman et al.			06/29/2005
	B	4,219,590	08/26/1980	Shibazaki et al.			04/02/1979
	C	2,970,915	02/07/1961	Ferrari			06/27/1958
FOREIGN PATENT DOCUMENTS							
Examiner Initial		Patent Number	Publication Date	Country	Copy Filed	Translation	
					<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstract <input type="checkbox"/> N/A	
OTHER DOCUMENTS (Including Author, Title, Date, etc.)							
	D	G. S. Ranhotra et al.; "Increase in Bone Calcification in Young Rats Fed Breads Highly Fortified with Calcium"; <i>American Association of Cereal Chemists, Inc.</i> ; Vol. 76, No. 3, 1999; (pages 325-327).					
Examiner				Date Considered			
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.							

992910 v1